

July 2, 2002

MEMORANDUM TO: Manuel D. Cerqueira, M.D., Chairman
Advisory Committee on the
Medical Uses of Isotopes

FROM: Donald A. Cool, Director */RA/*
Division of Industrial and
Medical Nuclear Safety, NMSS

SUBJECT: RESPONSE TO RECOMMENDATIONS FROM THE OCTOBER
29, 2001, AND THE FEBRUARY 20, 2002 MEETINGS OF THE
ADVISORY COMMITTEE ON THE MEDICAL USES OF
ISOTOPES

Below are the recommendations/resolutions of the October 29, 2001 and February 20, 2002 meetings of the Advisory Committee on the Medical Uses of Isotopes (ACMUI). Following each recommendation is the U.S. Nuclear Regulatory Commission (NRC) staff's position.

CERTIFICATION BOARD RECOGNITIONS

ACMUI October 29, 2001 recommendation: The ACMUI recommends that NRC interpret 35.57 to mean the following: that medical physicists who are listed as authorized teletherapy physicists on any Agreement State or NRC license, or by any act of a radiation safety committee within a broad scope license, be allowed to be authorized medical physicists for all modalities without qualifications, provided that they satisfy the supplementary training requirements contained in the current regulatory guides for those modalities extent on that date.

Staff response: Staff deferred a response to this recommendation until the February 20, 2002 meeting, when it was discussed under the agenda topic "Board Certifications." This discussion culminated in a resolution to form a subcommittee to amend the training and experience requirements in the revised 10 CFR Part 35.

ACMUI February 20, 2002 resolution: That ACMUI form a subcommittee whose charge is to develop a draft rule to amend the revised 10 CFR Part 35 (i.e., Part 35) so that board certification in itself will become a primary pathway to qualify authorized users, radiation safety officers, and authorized medical physicists.

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Staff response: The subcommittee was formed. The subcommittee met on June 21, 2002, to discuss and refine its recommendations. On July 8, 2002, the full ACMUI committee will meet in a teleconference to act on the subcommittee's recommendations, and forward final recommendations to NRC staff.

STATUS OF BOARD RECOGNITIONS

ACMUI February 20, 2002 resolution: The ACMUI recommends that the Commission retain, in the current Part 35, the training and experience requirements for authorized nuclear pharmacists, authorized medical physicists, radiation safety officers, and authorized users of Part 35.600 modalities, until such time as a rulemaking initiative can be completed to rectify the problem of recognition of the Boards as pathways for achieving this status.

Commission response: The staff, with Commission agreement, retained the training requirements in Part 35.600 and other modalities, as well as the requirements under the current Part 35, Subpart J, for a 2-year period after publication of the final rule. During that 2-year period, licensees will have the option of complying with either Subpart J or Subparts B and D-H. After the 2-year period expires, Subpart J will be deleted.